GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Prohibition & Excise Department – APSBCL – Distribution of staff to the newly created Department "Special Enforcement Bureau" – Orders – Issued.

REVENUE (EXCISE.I) DEPARTMENT

G.O.Ms.No.134 Dated:15.05.2020

Read the following:-

1. G.O.Ms.No. 41, G.A. (CABINET.II) Dept., dated: 09-05-2020.
2. From the Commissioner, Prohibition & Excise Department, Cr.No. 11023/5/2020/CPE/A1, dt:14-05-2020.

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O R D E R:

In the reference 1st read above, orders were issued creating a new Department called Special Enforcement Bureau, as a part of General Administration Department headed by Director General of Police (HoPF) as Ex-Officio Prl. Secretary to Government with a view to enforce stoppage of illicit distillation, bottling and curb smuggling of alcohol as also to control illegal sand mining.

2. In order to enforce Govt. commitment, the Commissioner of Prohibition & Excise in the reference 2nd cited above, has submitted a proposal regarding re-distribution of Prohibition & Excise personnel between the Prohibition & Excise Department and the newly created Department i.e. **'Special Enforcement Bureau'** in public interest, suitably protecting the interests of the employees including their career progression, promotions and welfare.

3. It is brought out that the core functions discharged by the Prohibition & Excise Department are as follows:

1) Regulation of outlets:
   Licensing, collection of license fee, administration of shops, bars, clubs, tourism licenses, toddy shops. The APSBCL outlets, Clubs, APTDC, CSD are licensed by the Commissioner, Bars by the Dy. Commissioners and Toddy shops by Prohibition & Excise Superintendents.

2) Regulation of Distilleries & Breweries :
   Licensing, collection of license fee, excise duty and other fee, allotment of alcohol, issue of transport permits, manufacture and transport of spirits, IMFL and Beer. Issues of licenses to the Distilleries, Breweries, allotment of spirits approval of labels etc.,

3) Enforcement :
   Collection of intelligence, organisation of raids, booking of cases, filing FIRs and production of accused in Courts, investigation , confiscation of seized articles and vehicles, filing of charge sheets, serving of summons, execution of NBWs. Wherein, the Dy. Commissioners have been nominated as confiscating authorities in respect of Excisable articles and seized vehicles u/s 46 of A.P. Excise Act.

4) Whole sale trade of IMFL & FL :
   Procurement of liquor / beer, placing OFSs, administration of Depots and supply of Liquor/Beer to various Retail Outlets.

5) Revenue Generation:
   To ensure Revenue generation by strict regulation of manufacture, transport, sale and use of intoxicants, collection of old Excise arrears under Revenue Recovery Act etc.,

6) Supervision and functioning of APSBCL Outlets including remittance of sale proceeds, reconciliation of cash etc., General supervision of marketing set up and ensuring effective revenue mobilization.

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7) General Superintendence Establishment and control as per provisions of the Excise Act, 1968.

4. The present staff sanctioned as a part of the work profile of the department consists of:

Sl. No	Cadre	Sanctioned
1	Cadre Posts	2
2	Addl. Commissioner	1
3	Joint Commissioner	3
4	Dy. Commissioner	16
5	Asst. Commissioner	21
6	Asst. Secretary (Ser) / Spl. Grade Dy. Collector	1
7	Joint Director (Tech)	1
8	LAPP	1
9	Proh. & Excise Supdts.	48
10	Asst. Secretary (Dist)	1
11	Asst. Excise Superintendent	68
12	Chemical Examiner	5
13	Asst. Chemical Examiner	16
14	Staff Officer	5
15	Asst. Accounts Officer	13
16	Proh. & Excise Inspector	400
17	Office Superintendent	26
18	Proh. & Excise Sub Inspector	556
19	Senior Cooperative Inspector	6
20	Head Constable	972
21	Constable	3130
22	Senior Assistant	110
23	Junior Assistant	460
24	Accounts Officer	1
25	Auditor / Accountant	9
26	Typist/Steno	54
27	APPs	14
28	Police Personnel (DSPs)	2
29	Police Personnel (CIs)	2
30	SARCPL	83
31	CDI/DI/ADI	4
32	Drivers	52
33	Last Grade	97
34	Outsourcing	94
	Total	**6274**

5. It is now proposed to transfer the enforcement functions to SEB viz.,

" Collection of intelligence, organisation of raids, booking of cases, filing FIRs and production of accused in Courts, investigation, confiscation of seized articles and vehicles, filing of charge sheets, serving of summons, execution of NBWs as per the provisions of the A.P. Excise Act, 1968 and A.P. Prohibition Act, 1995".

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The following residual functions shall continue to be performed by the Excise Dept.

1) Management of outlets :
   Collection of license fee, administration of shops, licensing of bars, clubs, tourism bars, toddy shops. The Clubs, APTDC, CSD will be licensed by the Commissioner, Bars by the Assistant Commissioners and Toddy shops by Prohibition & Excise Superintendents. The officers of Excise Department are empowered to compound the offenses u/s 47 of the A.P. Excise Act.

   Management of Distilleries & Breweries with strong IT Support :
   Licensing, collection of license fee, excise duty and other fee, allotment of alcohol, issue of transport permits, manufacture and transport of spirits, IMFL and Beer. The Commissioner issues licenses to the Distilleries, Breweries, makes spirit allotments approves labels etc.

2) Whole sale trade of IMFL & FL with IT based integrated logistics management:
   Procurement of liquor / beer, placing OFSs, administration of Depots and supply of Liquor/Beer to various Retail Outlets.
3) Revenue Generation:
   A major function by strict regulation of manufacture, transport, sale and use of intoxicants. Further the Department collects old Excise arrears under Revenue Recovery Act.
4) The Department supervises functioning of APSBCL Outlets including remittance of sale proceeds, reconciliation of stock and cash etc.

5) General superintendence, establishment & control as per provisions of Excise Act 1968.

Consequent on creation of SEB, the following distribution of work force sanctioned is proposed in 70:30 Ratio between SEB & Excise Dept. to fulfill their legal and administrative requirements :

Sl No	**Cadre**	**Total Sanctioned**	**Required for Executive, Distillery wings and APSBCL (30%)**	**Allotted to SEB (70%)**
1	Cadre Posts	2	1	1
2	Addl. Commissioner	1	1	-
3	Joint Commissioner	3	1	2
4	Dy. Commissioner	16	6	10
5	Asst. Commissioner	21	9	12
6	Asst. Secretary (Ser) / Spl. Grade Dy. Collector	1	1	-
7	Joint Director (Tech)	1	1	-
8	LAPP	1	1	-
9	Proh. & Excise Supdts.	48	24	24
10	Asst. Secretary (Dist)	1	1	-
11	Asst. Excise Superintendent	68	30	38

12	Chemical Examiner	5	5	-
13	Asst. Chemical Examiner	16	16	-
14	Staff Officer	5	5	-
15	Asst. Accounts Officer	13	5	8
16	Proh. & Excise Inspector	400	120	280
17	Office Superintendent	26	8	18
18	Proh. & Excise Sub Inspector	556	167	389
19	Senior Cooperative Inspector	6	6	-
20	Head Constable	972	292	680
21	Constable	3130	789	2341
22	Senior Assistant	110	50	60
23	Junior Assistant	460	228	232
24	Accounts Officer	1	1	-
25	Auditor / Accountant	9	9	
26	Typist/Steno	54	16	38
27	APPs	14	1	13
28	Police Personnel (DSPs)	2	-	2
29	Police Personnel (CIs)	2	-	2
30	SARCPL	83	-	83
31	CDI/DI/ADI	4	4	-
32	Drivers	52	16	36
33	Last Grade	97	39	58
34	Outsourcing	94	28	66
	Total	**6274**	**1881 (30%)**	**4393 (70%)**

6. The new Department "Special Enforcement Bureau" (SEB) has been created with the objective of controlling offenses relating to control of illicit liquor and Sand mining.

7. Therefore, Government after careful consideration of the matter, and in public interest and after due examination of the functions proposed to be performed by the newly created Special Enforcement Bureau as well as those to be performed by the Prohibition & Excise Department and Commissioner of Distillation breweries has decided to allot 70% posts to SEB (4393) and 30% posts (1881) to remain with the existing Prohibition & Excise Department. As on date 4721 posts are filled up. The same shall be divided in 70:30 ratio in each category with the 70% (3304) to Special Enforcement Bureau and 30% (1417) to Excise Department. Resultant vacancies are also divided in the same ratio. In view of the sensitivities involved, cadre management shall continue to be exercised by Revenue Excise Department in public interest in order to protect seniority, promotions, and welfare of the personnel.

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8. Further the following powers are transferred to SEB in respect to making raids, booking of cases, filing FIRs and production of accused in Courts, investigation, confiscation of seized articles and vehicles, filing of charge sheets, serving of summons, execution of NBWs.

9. There are 208 Prohibition & Excise Stations notified and functioning in the state of Andhra Pradesh. These are placed at the disposal of SEB for effective enforcement.

10. General Power for internal postings superintendence and powers to enforce discipline shall be exercised by the Commissioner, SEB and Commissioner, Excise respectively for the staff posted under them.

11. However, in order to ensure functional movement for Group-I & Group-II officials from SEB to Revenue (Excise) and vice versa a Board shall be constituted under chairmanship of Chief Secretary to Government with DGP, Special Chief Secretary to Government (Revenue).

12. Necessary delegation of power so required shall be proposed by the Commissioner, Excise to ensure smooth functioning of SEB operations for effective enforcement.

13. The Commissioner of Prohibition & Excise, the Commissioner Distilleries & Breweries MD, APSBCL and the Commissioner **'Special Enforcement Bureau',** shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Ex-Officio Prl. Secretary to Government, SEB Dept.
The Industries & Commerce Department Copy to:
All Departments of the Secretariat.
The G.A.(CABINET.II) Department
The Pay and Accounts Officer, AP, Ibrahimpatnam, Vijayawada.
The PS to the Prl.Advisor/Prl. Secretary/Secretary/Addl. Secretary/
OSD to Chief Minister.
The OSD to the Dy.C.M. (Excise & CT).
The PS to the Chief Secretary to Government.
The PS to the Prl. Secretary to Govt.(Poll.).
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER